

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 80169(302730)

In re patent application of

YOSHIOKA, HIROFUMI

Serial No. 10/537,094

Filed: June 2, 2005

For: GERM-RESPONSIVE PROMOTER

STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Mail Stop SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

- $\label{eq:condition} 1. \qquad \text{the submission, filed herewith in accordance with 37} \\ \text{C.F.R. § 1.821(g), does not include new matter;}$
- 2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

Respectfully submitted,

Date

James A. Coburn

HARBOR CONSULTING IP SERVICES, INC. 1500A Lafayette Road, #262 Portsmouth, N.H. 03801 800-318-3021